

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nelson offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 17 and 18, insert:

5 (1) Chancery courts have jurisdiction to change the name  
6 of any person residing in this state on petition of the person  
7 filed in the county in which he or she resides.

8 (2) Before the court hearing on a petition for a name  
9 change, the petitioner must submit fingerprints for a state and  
10 national criminal history records check, ~~The petition shall~~  
11 ~~include a set of the petitioner's fingerprints taken by a law~~  
12 ~~enforcement agency~~ except where a former name is being restored.  
13 Fingerprints for all name change petitioners shall be taken in a  
14 manner approved by the Department of Law Enforcement and shall  
15 be submitted electronically to the department for state  
16 processing and to the Federal Bureau of Investigation for

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17 national processing for a criminal history records check. The  
18 cost of processing fingerprints and conducting this criminal  
19 history records check shall be borne by the petitioner for the  
20 name change or by the parent or guardian of a minor for whom a  
21 name change is being sought. The results of the state and  
22 national criminal history records check shall be returned to the  
23 clerk of the court.

24 (3) Each petition shall ~~and~~ be verified and show:

25 (a) That the petitioner is a bona fide resident of and  
26 domiciled in the county where the change of name is sought.

27 (b) If known, the date and place of birth of the  
28 petitioner, the petitioner's father's name, the petitioner's  
29 mother's maiden name, and where the petitioner has resided since  
30 birth.

31 (c) If the petitioner is married, the name of the  
32 petitioner's spouse and, if the petitioner has children, the  
33 names and ages of each and where they reside.

34 (d) If the petitioner's name has previously been changed  
35 and when and where and by what court.

36 (e) The petitioner's occupation and where the petitioner  
37 is employed and has been employed for 5 years next preceding the  
38 filing of the petition. If the petitioner owns and operates a  
39 business, the name and place of it shall be stated and the  
40 petitioner's connection therewith and how long the petitioner  
41 has been identified with that ~~said~~ business. If the petitioner  
42 is in a profession, the profession shall be stated, where the  
43 petitioner has practiced the profession and, if a graduate of a

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44 school or schools, the name or names thereof, date ~~time~~ of  
45 graduation, and degrees received.

46 (f) Whether the petitioner has been generally known or  
47 called by any other names and, if so, by what names and where.

48 (g) Whether the petitioner has ever been adjudicated a  
49 bankrupt and, if so, where and when.

50 (h) Whether the petitioner has ever been arrested for or  
51 charged with, pled guilty or nolo contendere to, or been found  
52 to have committed a criminal offense, regardless of  
53 adjudication, and, if so, when and where.

54 (i) Whether any money judgment has ever been entered  
55 against the petitioner and, if so, the name of the judgment  
56 creditor, the amount and date thereof, the court by which  
57 entered, and whether the judgment has been satisfied.

58 (j) That the petition is filed for no ulterior or illegal  
59 purpose and granting it will not in any manner invade the  
60 property rights of others, whether partnership, patent, good  
61 will, privacy, trademark, or otherwise.

62 (k) That the petitioner's civil rights have never been  
63 suspended, or, if the petitioner's civil rights have been  
64 suspended, that full restoration of civil rights has occurred.

65 ~~(4)(3)~~ The hearing on a ~~the~~ petition for restoring a  
66 former name may be held immediately after the petition ~~it~~ is  
67 filed. If a criminal history records check is required, the  
68 hearing on the petition may be held immediately after the  
69 results are returned to the clerk.

70 ~~(5)(4)~~ On filing the final judgment, the clerk shall, if  
71 the birth occurred in this state, send a report of the judgment  
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72 to the Office of Vital Statistics of the Department of Health on  
73 a form to be furnished by the department. The form shall contain  
74 sufficient information to identify the original birth  
75 certificate of the person, the new name, and the file number of  
76 the judgment. This report shall be filed by the department with  
77 respect to a person born in this state and shall become a part  
78 of the vital statistics of this state. With respect to a person  
79 born in another state, the clerk shall provide the petitioner  
80 with a certified copy of the final judgment.

81 ~~(6)(5)~~ The clerk must, upon the filing of the final  
82 judgment, send a report of the judgment to the Department of Law  
83 Enforcement on a form to be furnished by that department. The  
84 Department of Law Enforcement must send a copy of the report to  
85 the Department of Highway Safety and Motor Vehicles, which may  
86 be delivered by electronic transmission. The report must contain  
87 sufficient information to identify the petitioner, including a  
88 set of the petitioner's fingerprints taken by a law enforcement  
89 agency, the new name of the petitioner, and the file number of  
90 the judgment. Any information retained by the Department of Law  
91 Enforcement and the Department of Highway Safety and Motor  
92 Vehicles may be revised or supplemented by those said  
93 departments to reflect changes made by the final judgment. With  
94 respect to a person convicted of a felony in another state or of  
95 a federal offense, the Department of Law Enforcement must send  
96 the report to the respective state's office of law enforcement  
97 records or to the office of the Federal Bureau of Investigation.  
98 The Department of Law Enforcement may forward the report to any  
99 other law enforcement agency it believes may retain information

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100 related to the petitioner. Any costs associated with  
101 fingerprinting must be paid by the petitioner.

102 ~~(7)-(6)~~ A husband and wife and minor children may join in  
103 one petition for change of name and the petition must ~~shall~~ show  
104 the facts required of a petitioner as to the husband and wife  
105 and the names of the minor children may be changed at the  
106 discretion of the court.

107 ~~(8)-(7)~~ When only one parent petitions for a change of name  
108 of a minor child, process shall be served on the other parent  
109 and proof of such service shall be filed in the cause; ~~provided,~~  
110 however, if ~~that where~~ the other parent is a nonresident,  
111 constructive notice of the petition may be given pursuant to  
112 chapter 49, and proof of publication shall be filed in the cause  
113 without the necessity of recordation.

114 ~~(9)-(8)~~ This section does not apply ~~Nothing herein applies~~  
115 to any change of name in proceedings for dissolution of marriage  
116 or for adoption of children.

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**T I T L E A M E N D M E N T**

119 Remove lines 2-3 and insert:

120  
121 An act relating to criminal background checks; amending s.  
122 68.07, F.S.; requiring that a person filing a petition for  
123 change of name submit fingerprints for a state and national  
124 criminal history records check before the court hearing on the  
125 petition; providing an exception to such requirement; providing  
126 procedures for the taking and submission of fingerprints;  
127 providing for the payment of costs associated with processing

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HOUSE AMENDMENT

Bill No. CS/HB 755

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128 fingerprints and conducting criminal history records checks;  
129 requiring the return of the results of a criminal history  
130 records check to the clerk of court; providing for the  
131 scheduling of a hearing on a petition to restore a former name  
132 when a criminal history records check is required; creating s.  
133 943.04355, F.S.; requiring a landlord who

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